

REMARKS

Claims 1-17 are pending in this application. Claims 1 and 17 are the independent claims. By this Amendment, claim 17 is added. Claims 1, 4, 7-10 and 12-16 are amended to correct minor informalities. Thus, no new matter is added.

Allowable Subject Matter

Applicants acknowledge the indication of allowable subject matter in claims 2-16. Claims 2-16, as well as the remaining pending claims are in condition for allowance for the reasons discussed below.

Rejection under 35 U.S.C. §102

Karasek

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,250,231 to Karasek. The rejection is respectfully traversed.

Karasek fails to disclose, a large-capacity vehicle for transporting people, comprising...carriages coupled by lower articulated connections and by upper articulated connections,...at least one upper articulated connection is embodied in such a way that the vehicle can carry out pitching movements about a transverse axis when traveling through a depression or over an elevation, one of the upper articulated connections including a connecting element embodied and connected to the at least two carriages configured to permit pivoting and rolling movements about a longitudinal axis of the vehicle, as recited in independent claim 1.

Karasek relates to an articulated rail vehicle. A connection between two vehicle parts 1, 10 in the bottom area is a lower plain bearing 30. The plain bearing 30 essentially transmits all the forces occurring between the two vehicle parts during the regular traveling motions of

the articulated vehicle. A connection of the two vehicle parts 1, 10 in a ceiling area (i.e., an area above the connecting corridor 20) includes a slidable lattice stand designed as a joint hinge 40. The slidable lattice stand or joint hinge 40 has the two straps 41, 42 that are connected to each other by a joint 43. Each strap 41, 42 also has a joint 44, 45 at its end for the connection with the one vehicle part 1 or through the linear guiding 50 with the other vehicle part 10. The linear guiding 50 includes a housing 51 with two axles 53, 54 running parallel. The axles may be received by the housing in such a way that they are axially slidable. Therefore, the housing is provided with a corresponding slide bush or with ball thrust bearings. The housing 51 is pivotable on a vertical axis and is borne on the console 56 that is fastened on the other vehicle part 10. Thus, Karasek discloses a joint that allows the course of the motions occurring during a nodding movement of the vehicle parts 1, 10 relative to each other, either when driving a depression or when driving over a hilltop.

It is alleged in the Office Action that Figs. 2 and 3 of Karasek disclose an “upper articulated connection including a connecting element that is connected to said at least two carriages to permit pivoting and rolling movements about a longitudinal axis.”

Figs. 2 and 3 show a top view of the articulated vehicle when driving straight and driving a curve, respectively. However, contrary to the allegation in the Office Action, the connecting elements Karasek do not allow a pivoting and rolling movement. Karasek specifically states that a rolling movement of the vehicle bodies is to be avoided. For example, Karasek states that the connecting element permits a nodding movement of the vehicle parts relative to each other, but prevents swaying movements of the vehicle parts relative to each other without having to take any particular measure on the vehicle parts (col. 1, lines 58-63). Moreover, Karasek discloses that swaying movements of the vehicle parts relative to each other are avoided (col. 2, line 2 and lines 18-22). Because Karasek fails to anticipate the subject matter of claim 1, withdrawal of the rejection is respectfully requested.

New Claim

The applied reference fails to disclose or suggest the features recited in new claim 17. For example, the applied reference fails to disclose a large-capacity vehicle for transporting people, comprising...at least one upper articulated connection is configured to permit the vehicle to carry out pitching movements about a transverse axis, and is configured to permit pivoting and rolling movements about a longitudinal axis of the vehicle.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Fitzpatrick, 41,018, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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